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SEP 30 2008

In re Application of  
Chao et al.  
Application No. 09/282,907  
Filed: March 31, 1999  
Attorney Docket No.  
AUS919980441US1

: **OFFICE OF PETITIONS**  
:  
: **DECISION ON PETITION**  
:  
:

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed August 31, 2006, to revive the above-identified application.

The petition is **GRANTED**.

This above-identified application was held abandoned for failure to timely file a supplemental appeal brief. A Notice of Non-Compliant Appeal Brief pursuant to 37 CFR 41.37 was mailed on December 1, 2005 providing applicant with an extendable one month period for reply. No extensions of time pursuant to the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the date of abandonment of this application is January 2, 2006. A Notice of Abandonment was mailed on August 10, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a reply brief, (2) the petition fee of \$1500.00, and (3) a proper statement of unintentional delay.

Review of the record shows that a three month extension of time was required to make the Notice of Appeal timely. The office is in receipt of only a one month extension of time (\$110). As such a the \$810 difference between a one month and three month extension of time will be charged to deposit account 09-0447.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3215.

This application is being referred to Technology Center AU 2162 for appropriate action by the

Examiner in the normal course of business on the reply received

A handwritten signature in black ink, appearing to read "Charlema Grant", written in a cursive style.

Charlema Grant  
Petitions Attorney  
Office of Petitions